THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16565 of 2007

Dated:06.08.2007

Between:

Kattaboina Prabhakar.

…PETITIONER

and

The Mandal Revenue Officer, Paloncha,
and others.

…RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16565 of 2007

ORDER:

The petitioner's father purchased land admeasuring Acs.6.37 guntas in survey No.817/2 situated at Paloncha Village and Mandal, Khammam Distrit, under an unregistered sale deed dated 04.04.1962. After death of his father, the petitioner continued in possession. He applied for regularization of unregistered transaction. The same was accepted and pattadar passbook/title deed was issued under the provisions of the Andhra Pradesh Rights in Land & Pattadar Pass Books Act, 1971. He alleges that in last week of June, 2007, the subordinate officials from the office of first respondent visited his land, surveyed it and took measurements. As the petitioner is working as Agricultural Extension Officer in ITDA, Bhadrachalam, he came to know about this. He therefore, submitted a representation on 04.07.2007 to first respondent seeking clarification. He again submitted another representation on 23.07.2007 to second respondent seeking to know as to why his land was surveyed and measurements were taken, which is remained undisposed of. Therefore, he apprehends that there is imminent threat of dispossession by the respondents and seeks an order forbearing the respondents from dispossessing him.

After hearing the learned counsel for the petitioner and perusing paragraph 3 of the affidavit accompanying the writ petition, this Court is

convinced that the writ petition is filed on mere apprehension. The petitioner has rightly approached respondents 1 and 2 and made representations when survey was conducted. Mere survey of the land for any reason whatsoever does not justify any apprehension in the mind of the petitioner. If the petitioner is in possession of the land as alleged, he cannot be dispossessed without due process of law. The writ petition is misconceived.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

06th August, 2007
ghn